

REMARKS

The application includes claims 1-10 and 18-29 prior to entering this amendment.

Claims 1-10 and 18-29 stand rejected under 35 U.S.C. § 102(e).

Claims 1 and 2 are amended.

Claims 11-17 were previously withdrawn.

The application remains with claims 1-10 and 18-29 after entering this amendment.

The applicants make the above amendments without prejudice or disclaimer to delineate more clearly intended subject matter. Accordingly, the applicants do not intend to surrender claimed subject matter by submission of the above amendments and do not add new matter. The applicants respectfully request reconsideration of the above referenced patent application in view of the following remarks.

Claim Rejections - 35 U.S.C. § 102

The examiner rejected claims 1-10 and 18-29 under 35 U.S.C. § 102(e) as being allegedly unpatentable over Barzilai *et al.* (U.S. Patent 7,225,460). The applicants respectfully traverse the rejections for at least the reasons explained herein and request that the examiner withdraw the rejection of claims 1-10 and 18-29 for these reasons.

Barzilai at least does not disclose all of the features of claim 1. Claim 1 is distinguishable from Barzilai for at least the following reasons:

To start, amended claim 1 recites:

“A method for *migrating content* on a network comprising”

The current application discloses and claims a method and system for migrating content on a network, where the migration is transparent to users because requests for direction to certain network addresses are automatically directed to updated network addresses.

Barzilai discloses a method of enterprise privacy management where access to private information collected from users is managed by internal and third party applications in a network.¹ In contrast, claim 1 recites *a method for content migration* which is different than a method of controlling access to a user's personal information² disclosed in Barzilai.

¹ Barzilai, col. 8, lines 11-49.

² Barzilai, Abstract.

Amended claim 1 further recites:

"accessing a migration file comprised of a plurality of network entries, each of said network entries comprised of one or more network addresses, wherein the migration file comprises content for migration in the network"

For this feature the examiner points to two sections of Barzilai neither of which disclose *accessing a migration file, wherein the migration file comprises content for migration in a network*, as is recited in claim 1.³ In contrast, the sections of Barzilai cited by the examiner teach receiving a user's personal information and matching it with an application privacy policy.⁴ In Barzilai, privacy policies are enforced by a web based enterprise policy manager that facilitates an information exchange between a website and a user.⁵ This is not the same as *accessing a migration file, wherein the migration file comprises content for migration in a network* (recited in claim 1) because the files accessed by the enterprise policy manager of Barzilai *do not contain content for migration*, rather the files accessed in Barzilai comprise hierarchical privacy policy records related to a user attempting access a website.⁶ The content accessed in Barzilai is not for migration, it is to be displayed and vetted by a user before a user is permitted to access a desired website.⁷ Notably, there is *no discussion of content migration* in Barzilai.

Amended claim 1 further recites:

"reformatting said migration file as a switch compliant file comprised of a switch compliant language, wherein said switch compliant language complies with one or more of Open Systems Interconnection (OSI) data connectivity model layers 4 to 7"

For the above feature of claim 1, the examiner directs applicants to the same two sections of Barzilai noted for the previous features of claim 1.⁸ Again, neither the sections cited by the examiner nor anything else in Barzilai disclose *reformatting said migration files*, as is recited in claim 1.

³ Office action, page 2.

⁴ Barzilai, col. 9, line 60-col. 10, line 12 and col. 11, line 8-col. 12, line 8.

⁵ Barzilai, col. 2, lines 19-30 and col. 12, lines 9-24.

⁶ Barzilai, col. 12, lines 9-38.

⁷ Barzilai, col. 14, lines 9-26.

⁸ Office action, page 2.

Specifically, the first section of Barzilai asserted by the examiner for the above noted features of claim 1 teaches the enterprise privacy manager invoking certain functions to: pair user information to a privacy policy, to extract policy information from XML files and store information related to a user privacy policy.⁹ Nothing in this section discloses *reformatting said migration file*, as recited in claim 1.

The second section of Barzilai cited by the examiner for the above features of claim 1 discloses a hierarchical structure of the privacy policy taught in Barzilai.¹⁰ The section describes a preferred format for the privacy policies and rules,¹¹ however, this is not the same as *reformatting* migration files, as recited in claim 1.

Amended claim 1 further recites:

"automatically redirecting the request to access said current network address to said new network address based on an analysis of said one entry in said switch compliant file"

The examiner cites Barzilai for the above recited feature of claim 1.¹² Nothing in the section of Barzilai cited by the examiner or elsewhere in Barzilai disclose *automatically redirecting the request to access said current network address to said new network address*, as is recited in claim 1.

In the cited section, Barzilai discloses a policy update step where a handler constructs a second policy reference file URL based on a first reference URL to retrieve old and current policy reference files from an enterprise policy manager. In Barzilai, after the policies are retrieved, the policy manager displays both new and old policies on a user's computer. The user must then accept or reject the policy changes to access the website of interest.¹³

There are a number of distinctions between the features of claim 1 recited above and Barzilai. To begin, in Barzilai *accessing* the web site is *not automatic*. The user must interact by answering a query about whether or not the new policy is acceptable in order to gain access to

⁹ Barzilai, col. 9, line 60 to col. 10, line 12.

¹⁰ Barzilai, col. 11, line 8 to col. 12, line 8.

¹¹ Barzilai, col. 11, lines 27-29.

¹² Office action, page 3.

¹³ Barzilai, col. 12, line 46 to col. 14, line 26.

the web site of interest.¹⁴ Thus, the directing to a network address disclosed in Barzilai is not the same as the *automatic redirecting to a network address*, recited in claim 1.

Further, in contrast to the current application, the second URL disclosed in Barzilai is not used to direct the request to a new network address. The new URL is simply used to retrieve a policy file. The user request is still directed to the website of interest if the user answers the policy question presented by the enterprise policy manager.¹⁵ Conversely, the applicants claim a method of associating two network addresses by *analysis of one entry in a switch compliant file* and *automatically redirecting* the request for access to a first network destination to a second (different) network destination. This is different than the method disclosed in Barzilai of merely retrieving a stored file based on information in a related file address.¹⁶

For the reasons provided above, claim 1 distinguishes from Barzilai and should be allowed.

Claims 2-10 depend from claim 1 and distinguish from Barzilai for at least the same reasons as claim 1 and should also be allowed.

Claims 18 and 24 and respective dependent claims distinguish from Barzilai on at least the same or similar basis as claim 1 and should also be allowed.

Further amended claim 2 distinguishes from Barzilai for additional reasons.

For instance, claim 2 recites:

"wherein both the current network address and the new network address are associated with the one entry in the switch compliant file and wherein the redirection occurs transparently to a user"

Nothing in Barzilai discloses, "*wherein both the current network address and the new network address are associated with the one entry in the switch compliant file.*" There is only a single network destination disclosed in Barzilai *not* a current network destination and a new (updated) network destination. Thus, Barzilai cannot disclose *associating current and new network addresses with a single entry in the switch compliant file*, as is recited in claim 2. Assuming, for the sake of argument, that the method of Barzilai is directed to providing access to two different network addresses, claim 2 still distinguishes from Barzilai because Barzilai

¹⁴ Barzilai, col. 13, line 61 to col. 14, line 26.

¹⁵ Barzilai, col. 13, line 61 to col. 14, line 26.

teaches providing network destination access based on user compliance with privacy policies requiring user input.¹⁶ Thus, direction (or redirection) to a network address cannot occur transparently to a user, as is recited in claim 2. Therefore, claim 2 is distinguishable from Barzilai for this additional reason and should be allowed.

The applicants believe that the claimed subject matter is patentably distinguishable from Barzilai for additional reasons; however, because the forgoing is believed to be sufficient, the applicants choose to omit them at this time. Likewise, the applicants' failure to comment directly upon any of the positions asserted in the current office action does not indicate agreement or acquiescence with those asserted positions. Rather, the assertions are rendered moot by the foregoing and, therefore, it is not necessary to respond to every position taken in the office action with which the applicants do not agree.

¹⁶ Barzilai, col. 14, lines 2-8.

¹⁷ Barzilai, col. 2, lines 31-39.

CONCLUSION

For the foregoing reasons, the applicants request reconsideration and allowance of claims 1-10 and 18-29. The applicants amend claims in this response without prejudice or disclaimer solely to expedite allowance. The applicants explicitly reserve the right to pursue cancelled, withdrawn or amended subject matter in one or more continuation applications. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

/Michelle C. Craig/

Michelle C. Craig
Reg. No. 52,776

STOLOWITZ FORD COWGER LLP
621 SW Morrison Street, Suite 600
Portland, OR 97205
(503) 224-2170